

REMARKS

A. Request for Reconsideration

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remains of the position that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the claim amendments and following remarks.

B. Claim Status

Claims 5-11 are pending and presented for further prosecution.

C. Claim Rejections - 35 U.S.C. §112

Claim 11 had been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which Applicant regards as the invention. Specifically, the recitation "the separate vessel" in line 5 lacks antecedent basis.

Claim 11 has been amended herein.

D. Claim Rejections - 35 U.S.C. § 103

Claims 5, 7, 8, 10 and 13 had been rejected as being unpatentable over Kelly (U.S. Patent 1,164,527), Cantrell (U.S. Patent Appln. 2003/0033670) and Lynch (U.S. Patent 4,333,835); Claim 6 had been rejected as being unpatentable over Kelly ('527), Cantrell ('670) and Lynch ('835) as applied to claim 5 and further in view of Maranville (U.S. Patent 911,214); and Claim 9 had been rejected as being unpatentabl over Kelly ('527), Cantrell ('670) and Lynch ('835) as applied to claim 5 and further in view of Broughton (U.S. Patent 4,396,508) or Hirshstein (U.S. Patent 2,284,737).

The Examiner acknowledged that Kelly does not teach a basin having an opening in the bottom wall and a separation vessel being underneath the basin. The Examiner, however, cited Cantrell to teach such a basin and the separation vessel underneath.

Applicant has amended Claims 5, 10 and 11 to clarify that the sidewalls of the separation vessel extended directly, vertically, downward from the opening in the bottom wall of the basin. Shown in Figure 6, the separation

vessel is formed underneath the basin's opening and the sidewalls are commensurate with the opening's perimeter. The present invention does not require a valve or joint attached to the bottom wall at the opening to connect a tube, pipe or a separation vessel. All proper art references require additional components to connect the separation vessel to the basin. Kelly, Cantrell and/or Lynch do not teach such features.

Moreover, the use and position of the upper and lower open/close means in the present invention is distinguishable from the prior art. Lynch does not disclose an open/close means. Cantrell only discloses one open/close means. Finally, Kelly only discloses one open/close means. None of the prior art discloses an upper and lower open/close means. Thus, the present invention does not merely shift position of elements.

Claims 7 and 8 depend on Claim 5 and are deemed patentable over Kelly, Cantrell and Lynch for the same reasons as Claim 5.

Claims 6 and 9 depends on Claim 5. As demonstrated above, Kelly, Cantrell and Lynch do not teach or suggest

the separation vessel being extended directly from said opening underneath the basin, as in Claim 5. Broughton and Hirshstein do not teach or suggestion these features either.

Therefore, it is respectfully submitted the combination of Kelly, Cantrell, Lynch and Broughton or Hirshstein does not render the subject matter in Claim 5 and its dependent Claims 6 - 9 obvious or claims 10 or 11 obvious.

E. Conclusion

It is respectfully submitted that application is in condition for allowance, and such action is hereby requested. Should any fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account number 02-2275.

Respectfully submitted,

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